

TRANSMITTAL SLIP		
TO:		
ROOM NO.	BUILDING	
REMARKS:		
EXA <u>CE</u> 22 OCT 1967		
DDA <u>AL</u> 21		
DDA/Registry		
cc: D/QMS for info. D/OP for info. D/OS for info. D/OTE for info. OCA, for info.		
FROM:		
ROOM NO.	BUILDING	EXTENSION

**EXECUTIVE SECRETARIAT****ROUTING SLIP**

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI				
6	DDA		X		
7	DDO				
8	DDS&T				
9	Chm/NIC				
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13	D/OCA		X		
14	D/PAO				
15	D/PERS				
16	D/Ex Staff				
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		SUSPENSE _____ Date			

Remarks

STAT

Executive Secretary

21 Oct '87

Date

3637 (10-81)



**NATIONAL DRUG POLICY BOARD**  
Washington, D.C. 20530

OCT 15 1987

Executive Registry

87-3455X

**MEMORANDUM**

**To:** All Executive Branch Agency Heads

**From:** Edwin Meese III *Edwin Meese III*  
Attorney General  
Chairman, National Drug Policy Board

James C. Miller, *James C. Miller*  
Director  
Office of Management and Budget

Constance J. Horner *Constance Horner*  
Director  
Office of Personnel Management

**Re:** Anti-Drug-Testing Legislation

At the Executive Session of the Committee on Veterans' Affairs on July 31, the Committee voted to adopt an amendment to S. 9, the Service-Disabled Veterans Benefits Improvement Act of 1987, that virtually would prohibit the Veterans Administration from conducting any program to test its employees for the illegal use of drugs. As you know, such drug-testing programs throughout the Executive Branch are required by Executive Order 12564 and, after protracted and sensitive negotiations between the Administration and the Congress, now operate in accordance with the carefully-crafted compromise on this issue that is codified in Public Law 100-71. The Committee's amendment violates both the letter and the spirit of the compromise agreement that we negotiated on behalf of the Administration.

In his August 6, 1987 letter to the Veterans' Committee Chairman, Senator Cranston, Veterans Administration Administrator Thomas K. Turnage declared that his agency is "implacably opposed to any legislative language which would exempt the VA from fully implementing the President's Drug-Free Workplace Program." On behalf of the rest of the Administration, we join General Turnage in expressing the same implacable opposition. When we participated in the negotiations that led to the enactment of the drug-testing provisions of Public Law 100-71, it was the understanding of all of the parties to these negotiations that

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the compromise plan for drug-testing provisions on which we agreed would be binding throughout the Executive Branch.

We cannot allow the compromise agreement on drug-testing that we reached with the Congress to be vitiated, in piecemeal fashion, by anti-drug-testing provisions such as the one that now is included in S. 9. Accordingly, we have notified appropriate Senators that we will urge them to seek a roll call vote on the deletion of the anti-drug-testing provision of S. 9 when the bill is considered in the full Senate. Furthermore, we have advised these Senators that if any anti-drug-testing provision that violates the compromise agreement embodied in Public Law 100-71 is included in any legislation relating to the Veterans Administration, or to any other Executive Branch agency, enacted by the Congress in the closing months of this session, we may be compelled to recommend to the President that his approval of such legislation should be withheld.

We write both to advise you of these developments and to ask your cooperation in advising us promptly if you learn of any similar effort to attach anti-drug-testing language to authorization or appropriations legislation relating to your agency.

Thank you in advance for your assistance in defending the President's drug-testing program.